

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

Jesse M. James,	)	C/A No.: 0:13-210-JFA-SVH
	)	
Plaintiff,	)	
	)	
vs.	)	ORDER
	)	
Lancaster Sheriff Department; Barry	)	
Faile; Lancaster Newspaper Owner;	)	
and Chief Editor,	)	
	)	
Defendants.	)	
_____	)	

This is a civil action filed by a local prisoner. Therefore, in the event that a limitations issue arises, Plaintiff shall have the benefit of the holding in *Houston v. Lack*, 487 U.S. 266, 272 (1988) (prisoner's pleading was filed at the moment of delivery to prison authorities for forwarding to District Court). Under Local Civil Rule 73.02(B)(2) (D.S.C.), pretrial proceedings in this action have been referred to the assigned United States magistrate judge.

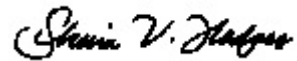
**PAYMENT OF THE FILING FEE:**

Plaintiff has submitted an Application to Proceed Without Prepayment of Fees and Affidavit (Form AO 240)] and a Financial Certificate, which are construed as a Motion for Leave to Proceed *in forma pauperis*. See 28 U.S.C. § 1915(a)(1), (2). A review of the Motion reveals that Plaintiff does not have the funds to pay the first installment of the filing fee. Therefore, the amount due from Plaintiff is currently \$350. Plaintiff's motion to proceed *in forma pauperis* is **granted**.

**TO THE CLERK OF COURT:**

This case is subject to summary dismissal based on an initial screening conducted pursuant to 28 U.S.C. § 1915 and/or § 1915A. Therefore, the Clerk of Court shall ***not*** issue the summonses or forward this matter to the United States Marshal for service of process at this time.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Shiva V. Hodges". The signature is written in a cursive, flowing style.

March 28, 2013  
Columbia, South Carolina

Shiva V. Hodges  
United States Magistrate Judge